

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NORTH DAKOTA
SOUTHWESTERN DIVISION**

United States of America,)	
)	
Plaintiff,)	ORDER (AMENDED)
)	
vs.)	
)	Case No. 1:07-mj-047
Edward Black Cloud,)	
)	
Defendant.)	

On Tuesday, September 4, 2007, the defendant made his initial appearance in this court on a Warrant for Arrest and Petition for Revocation of Supervised Release issued in the District of South Dakota, Northern Division, Case No. 1:03CR10021-001. AUSA David Hagler appeared on the Government's behalf. Attorney Daniel Herbel was appointed as defense counsel and appeared on the defendant's behalf.

The Government moved to detain the defendant. Upon being advised of his rights, the defendant knowingly, voluntarily, and upon advice of counsel waived the determination of identity and acknowledged that he is the Edward Black Cloud named in the Petition for Revocation of Supervised Release. With respect to the issue of detention, the defendant knowingly, voluntarily, and upon advice of counsel consented to transfer to the District of South Dakota without waving his right to a detention hearing to be held in the District of South Dakota.

Based on the foregoing, it is hereby **ORDERED** that further proceedings in this case shall be conducted in the United States District Court for the District of South Dakota. It is further **ORDERED** that the defendant shall be detained for the purposes of transport only and pending a detention hearing in the District of South Dakota. Accordingly, the defendant is committed to the

custody of the Attorney General or his designated representative for transport to the District of South Dakota. On order of a court of the United States or on request of an attorney for the Government, the person in charge of the corrections facility shall deliver the defendant to the United States Marshal for the purpose of an appearance in connection with a court proceeding.

Dated this 4th day of September, 2007.

/s/ Charles S. Miller, Jr.

Charles S. Miller, Jr.

United States Magistrate Judge